



16056 B
CEB:lp
28 Dec 05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Weiming LU :
Serial No. : 10/806,861 :
Filed : March 22, 2004 :
For : ADJUSTABLE FRAME FOR HOLDING PAINT ROLLER :
Art Unit : 1744 :
Examiner : Randall E. CHIN :
-----X

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313 - 1450

ATTENTION: MAIL STOP - NO FEE RESPONSE

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT 37 CFR 1.121(d)

Dear Sir:

In the above referenced United States Patent Application, in response to a Notice of Non-Compliant Amendment mailed December 21, 2005 a Replacement Amendment is enclosed herewith.

MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: ATTENTION: MAIL STOP - NO FEE RESPONSE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313 - 1450 on the date indicated below:

Charles E. Baxley
Attorney's Name

Charles E. Baxley
Signature

December 28, 2005
Date

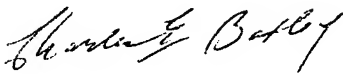
Figure 2 of the drawings was changed, so a new set of drawings is here presented. A sheet containing Figure 2 has been marked "Replacement Sheet" in the upper margin. Lead line 7 in Figure 2 has been re-directed to a tee-joint.

A copy of the Notice is enclosed herewith.

No fee is believed to be required, but if there is a fee it may be debited to this firm's Deposit Account 02-1435.

Courtesy, cooperation and skill of the Legal Instrument Examiner are acknowledged and appreciated.

Respectfully,

BY: 
CHARLES E. BAXLEY
Attorney of Record
USPTO Reg. 20,149
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CEB:lp/16056 B

Enclosure: Copy of Notice of Non-Compliant Amendment;
Replacement Amendment;and
Three (3) sheets of Drawings containing Figs. 1, 2 and 3.

DFW



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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Serial No. : 10/806,861
Filed : March 22, 2004
For : ADJUSTABLE FRAME FOR HOLDING PAINT ROLLER
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Examiner : Randall E. CHIN
Docket No. : 16056 B

Transmitted herewith is/are the following:

- ☒ RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT 37 CFR 1.121(d) w/MAILING CERTIFICATE
 - ☒ WEIMING LU'S REPLACEMENT AMENDMENT UNDER 37 CFR § 1.111 w/MAILING CERTIFICATE
 - ☒ Three (3) sheets of Drawings containing Figs. 1, 2 and 3
 - ☒ Copy of Notice of Non-Compliant Amendment
 - ☒ Other Acknowledgment Postcard
-

☒ The Commissioner is authorized to charge any additional fees required, or to credit any overpayment to Account No. 02-1435. A duplicate copy of this sheet is enclosed.

☐ A check in the amount of \$ ___ is enclosed herewith.

☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 28, 2005.

Respectfully,

Dated: December 28, 2005
CHARLES E. BAXLEY, ESQUIRE
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CEB:lp/16056 B

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UNITED STATES PATENT AND TRADEMARK OFFICE

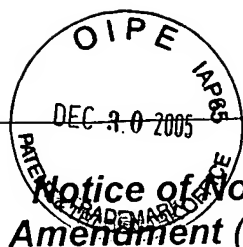
DEC 30 2005

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,861	03/22/2004	Weiming Lu	16056 B	2472
7590 12/21/2005				
CHARLES E. BAXLEY, Esquire				
Suite 309				
90 John Street				
New York, NY 10038				
EXAMINER				
CHIN, RANDALL E				
ART UNIT		PAPER NUMBER		
1744				

DATE MAILED: 12/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/806861

Applicant(s)

Examiner

Art Unit

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 12.2.05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☒ 3. Amendments to the drawings:
 - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____
- ☐ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____
- ☐ 5. The amendment is unsigned or not signed in accordance with 37 CFR 1.4.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121 or 1.4, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Michael Lawrence

Legal Instruments Examiner (LIE)

(571) 272-1025

Telephone No.